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CUSTOMER NO: 61263

Date August 18, 2006 Attorney Docket No. 53951-144

Total Pages (Including Cover) 10

From Mark A. Catan

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Fax Transmittal

Sender's Room Number DC

Main Fax Number 202.416.6899

To: U.S. PATENT & TRADEMARK OFFICE

Fax No.: 571-273-8300

Message

OFFICIAL COMMUNICATION

RE: U.S. Application No. 10/544,124
Filing Date: August 1, 2005
First Named Inventor: Jeffrey H. Burbank
Art Unit: Unassigned
Examiner: Unassigned

SUBMITTED PAPERS:

-CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8 FORM PTO/SB/97 (1 page)

-TRANSMITTAL FORM PTO/SB/21 (1 page)

-FEE TRANSMITTAL FORM PTO/SB/17 (1 page)

-PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (1 page)

-EXECUTED DECLARATION AND POWER OF ATTORNEY (3 pages)

-NOTICE TO FILE MISSING PARTS (2 pages)

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PTO/SB/07 (09-04)

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on August 18, 2006
Date


Signature

Karen Hieronymus

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IDENTIFIED SUBMITTED PAPERS RE: APPLN NO. 10/544,124:

- TRANSMITTAL FORM PTO/SB/21 (1 page)
- FEE TRANSMITTAL FORM PTO/SB/17 (1 page)
- PETITION FOR EXTENSION OF TIME (1 page)
- EXECUTED DECLARATION AND POWER OF ATTORNEY (3 pages)
- NOTICE TO FILE MISSING PARTS (2 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

TRANSMITTAL FORM

Application Serial Number	10/544,124
Filing Date	August 1, 2005
First Named Inventor	JEFFREY H. BURBANK
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket No.	53951-144
Patent No.	Not applicable
Issue Date	Not applicable

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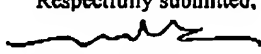
ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____] <input checked="" type="checkbox"/> Petition for Extension of Time (2 months) <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance	<input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate) <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
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CORRESPONDENCE ADDRESS

Direct all correspondence to: PATENT ADMINISTRATOR
Proskauer Rose LLP
1001 Pennsylvania Ave., N.W.
Suite 400
Washington, D.C. 20004
Tel. No.: (202) 416-6800
Fax No.: (202) 416-6899
CUSTOMER NO: 61263

SIGNATURE BLOCK

Respectfully submitted,

 Date: August 18, 2006
 Reg. No.: 38,720
 Tel. No.: (202) 416-6800
 Fax No.: (202) 416-6899
 Mark A. Catan
 Attorney for the Applicant(s)
 Proskauer Rose LLP
 1001 Pennsylvania Ave., N.W.
 Suite 400
 Washington, D.C. 20004

FEE TRANSMITTAL FY 2006					Complete if Known			
					Application Serial No.		10/544,124	
					Filing Date		August 1, 2005	
					First Named Inventor		JEFFREY H. BURBANK	
					Group No.		Unassigned	
					Examiner Name		Unassigned	
					Confirmation No.		6407	
METHOD OF PAYMENT					FEE CALCULATION (continued)			
<input checked="" type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other					4. ADDITIONAL FEES			
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-3840 <input checked="" type="checkbox"/> Required Fees (copy of this sheet enclsd). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.								
<input checked="" type="checkbox"/> Applicant claims small entity status.								
FEE CALCULATION								
1. BASIC FILING, SEARCH, AND EXAMINATION FEES								
Application Type	Filing	Search	Examination	Fee Paid	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
Utility	300	500	200		130	65	Surcharge - late filing fee or oath	\$65.00
Design	200	100	130		50	25	Surcharge - late provisional filing fee or cover sheet	
Plant	200	300	160		130	130	Non-English specification	
Reissue	300	500	600		2,520	2,520	Request for ex parte re-examination	
Provisional	200	0	0		120	60	Extension for reply within 1 st mo.	
					450	225	Extension for reply within 2 nd mo.	\$225.00
					1,020	510	Extension for reply within 3 rd mo.	
					1,590	795	Extension for reply within 4 th mo.	
					2,160	1,080	Extension for reply within 5 th mo.	
					500	250	Notice of Appeal	
					500	250	Filing a brief in support of an appeal	
					1,000	500	Request for oral hearing	
					400	0	Petitions to the Director	
					180	180	Submission of IDS	
					790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
					790	395	For each additional invention to be examined (37 CFR 1.129(b))	
					100	100	Certificate of Correction for applicant's error	
					130	65	Submission of Terminal Disclaimer	
					Other fee (Specify) _____			
					Other fee (Specify) _____			
4. TOTAL:					\$290.00			
2. EXCESS CLAIM FEES								
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent 50 25 Each independent claim over 3 or for Reissues, each independent claim more than in the original patent 200 100 Total Claims Extra Claims Fee Paid (\$)								
HP - highest number of total claims paid for, if greater than 20 Indep. Claims Extra Claims Fee Paid (\$)								
- 3 or HP - x \$ = HP = highest number of total claims paid for, if greater than 3								
Multiple Dependent Claims Fee (\$) Small Entity fee (\$) Fee Paid (\$)								
360 180								
2. TOTAL:								
3. APPLICATION SIZE FEE								
If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
Total Sheets	Extra Sheets	Additional 50 or fraction thereof	Fee (\$)	Fee Paid				
-100= 0	/50=	round up to a whole number	x	= 0.00				
3. TOTAL:								
CORRESPONDENCE ADDRESS								
Direct all correspondence to: Patent Administrator Proskauer Rose LLP 1001 Pennsylvania Avenue, N.W., Suite 400 Washington, D.C. 20004 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 CUSTOMER NO: 61263								
					SIGNATURE BLOCK			
					Respectfully submitted,			
					Date: August 18, 2006 Reg. No.: 38,720 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899			
					Mark A. Catan Attorney for the Applicant(s) Proskauer Rose LLP 1001 Pennsylvania Ave., N.W., #400 Washington, D.C. 20004			



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/544,124	James M Brugger	53951-144

21890
PROSKAUER ROSE LLP
PATENT DEPARTMENT
1585 BROADWAY
NEW YORK, NY 10036-8299

INTERNATIONAL APPLICATION NO.	
PCT/US04/00921	
LA. FILING DATE	PRIORITY DATE
01/14/2004	01/15/2003

CONFIRMATION NO. 6407
371 FORMALITIES LETTER

OC000000018454784

Date Mailed: 04/05/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 08/01/2005
- Copy of the International Search Report filed on 08/01/2005
- Copy of Annexes to the IPER filed on 08/01/2005
- Information Disclosure Statements filed on 08/01/2005
- Small Entity Statement filed on 08/01/2005
- U.S. Basic National Fees filed on 08/01/2005
- Power of Attorney filed on 11/14/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/544,124	PCT/US04/00921	53951-144

FORM PCT/DO/EO/905 (371 Formalities Notice)